

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
Eastern Division – In Admiralty**

**IN THE MATTER OF THE COMPLAINT  
OF DIVINE MERCY, LLC  
AS OWNER OF THE FISHING VESSEL  
DIVINE MERCY**

**Civil Action No. 4:17-cv-00077-D**

**DISMISSAL ORDER**

This day came the parties and represented to the Court that all disputes between them in this action have been settled and resolved. It therefore appearing to the Court that this matter ought to be dismissed, with prejudice, all parties to bear their own costs, and it further appearing that limitation plaintiff has posted security in the form of a Stipulation for Costs as required by the Rules of this Court and further posted a Letter of Undertaking on Behalf of Sunderland Marine Insurance Company Limited security for its interest in the value of the vessel as required by 46 U.S.C. § 30501 and Supplemental Rule F(1) of the Federal Rules of Civil Procedure, it is hereby ORDERED as follows:

1. This matter is dismissed, with prejudice, each party to bear its own costs; and
2. The Clerk of the Court shall mark both the Stipulation for Costs and the Letter of Undertaking on Behalf of Sunderland Marine Insurance Company Limited as "cancelled," and provide a copy of each so marked to David N. Ventker, Esq., counsel for limitation plaintiff. The Clerk shall also refund the sum of \$500.00 posted as security for costs by limitation plaintiff in the form of a check made payable to "David N. Ventker, Esq., counsel for DIVINE MERCY, LLC."
3. The Court shall maintain jurisdiction to enforce the settlement agreements referred to herein.

The Clerk is directed to provide certified copies of this Order to all counsel of record.

IT IS SO ORDERED. This 27 day of November 2018.

ENTERED:

J. C. Dever  
JAMES C. DEVER III  
United States District Judge

~~WE ASK FOR THIS:~~ 

David N. Ventker (VSB No. 29983) (NC Bar 26028)  
Marissa M. Henderson (VSB No. 44156) (NC Bar 46822)  
Ventker Henderson, PLLC  
256 West Freemason Street  
Norfolk, Virginia 23510  
Telephone: 757.625.1192  
Facsimile: 757.625.1475  
[dventker@ventkerlaw.com](mailto:dventker@ventkerlaw.com)  
[mhenderson@ventkerlaw.com](mailto:mhenderson@ventkerlaw.com)

*Counsel for Divine Mercy, LLC*

SEEN AND AGREED:

William G. Wright  
William G. Wright  
Gary K. Shipman  
Shipman & Wright, LLP  
575 Military Cutoff, Suite 106  
Wilmington, North Carolina 28405  
Telephone: (910) 762-1990  
Facsimile: (910) 762-6752  
[wwright@shipmanlaw.com](mailto:wwright@shipmanlaw.com)  
[gshipman@shipmanlaw.com](mailto:gshipman@shipmanlaw.com)

*Counsel for Rafael Olmos*